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05                   UNITED STATES DISTRICT COURT  
06                   WESTERN DISTRICT OF WASHINGTON  
07                   AT SEATTLE

08         UNITED STATES OF AMERICA,                   )                   Case No. CR02-0192-JCC-JPD  
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12         Plaintiff,                                      )  
13    )  
14         v.    )  
15         AMBER M. ANDRESS,                            )  
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13                   An initial hearing on a petition for violation of supervised release was held before the  
14 undersigned Magistrate Judge on August 17, 2006. The United States was represented by  
15 Assistant United States Attorney Sarah Y. Vogel, and the defendant by Mr. Jeffrey Smith.  
16 The proceedings were recorded on cassette tape.

17                   The defendant had been charged and convicted of Foreign Travel in Aid of  
18 Racketeering Enterprise, and on or about July 18, 2003, was sentenced by the Honorable  
19 John C. Coughenour to a term of four (4) months in custody, followed by three (3) years of  
20 supervised release.

21                   The conditions of supervised release included the requirements that the defendant  
22 comply with all local, state, and federal laws, and with the standard conditions. Special  
23 conditions imposed included, but were not limited to, substance-abuse and mental-health  
24 treatment participation, prohibitions on firearms possession, and financial disclosure.   In a  
25 Petition for Warrant or Summons dated August 1, 2006, U.S. Probation Officer Robin L.  
26 Elliott asserted the following violation by defendant of the conditions of her supervised

release:

Violation No. 1: Failing to submit a truthful and complete written report within the first five days of January - June of 2006, in violation of standard condition 2.

Violation No. 2: Failing to follow the instructions of the probation officer in violation of standard condition 3.

Violation No. 3: Failing to work regularly at a lawful occupation since January 2006, in violation of standard condition 5.

Violation No. 4: Failing to notify the probation officer 10 days prior to any change in employment or residence in violation of standard condition 6.

Violation No. 5: Failing to appear for drug testing on May 5 and 11, 2006, June 22 and 26, 2006, and July 5, 12, 14, 17, and 22, 2006 in violation of special condition no. 2.

The defendant was advised of the allegations and of her rights, denied the allegations, and requested an evidentiary hearing. Pending the hearing, she was detained. On August 24, 2006, the defendant appeared for an evidentiary hearing on the alleged violations. At the hearing, she was again advised of her rights. The defendant admitted the violations and waived any rights to an evidentiary hearing as to whether the violations occurred.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of her supervised release as to Violations No. 1, 2, 3, 4, and 5, and that the Court conduct a hearing limited to disposition. A disposition hearing has been set before the Honorable John C. Coughenour on October 6, 2006 at 9 a.m.

Pending a final determination by the Court, the defendant has been released on bond with the condition that she reside in a half-way house, and subject to continued supervision.

DATED this 24th day of August, 2006.

*James P. Donohue*  
JAMES P. DONOHUE  
United States Magistrate Judge

**REPORT AND RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE  
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01  
02 cc: District Judge: Honorable John C. Coughenour  
03 AUSA: Ms. Sarah Y. Vogel  
04 Defendant's attorney: Mr. Jeffrey Smith  
05 Probation officer: Ms. Robin L. Elliott  
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